

City Council
Atlanta, Georgia

01- 0 -0055

AN ORDINANCE
BY: ZONING COMMITTEE

Z-00-94
12/11/00

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2964-2970 North Fulton Drive, N.E. and 44-48 Peachtree Avenue, N.E.**, be changed from the **RG-2 (Residential General-Sector 2)** District, to the **RG-4 (Residential General-Sector 4)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **100** of the **17th** District, **Fulton** County, Georgia., being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the Suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 100 of the 17th District of Fulton County, Georgia, being all of Lot 18 and a part of Lot 17 of the Subdivision of the R. R. Arnold Property, according to plat of survey made by W. J. Walley, Engineer, dated June 15, 1922, recorded in Plat Book 9, page 8, Fulton County Records, and also a ten (10) foot strip of land lying adjacent to and north of said Lot 18 and part of Lot 17, and more particularly described as follows:

BEGINNING at a point marked by an iron pin at the intersection of the westerly side of North Fulton Drive and the northerly side of Peachtree Avenue, and running thence northerly along the westerly side of North Fulton Drive two hundred thirty-six and seven-tenths (236.7) feet to an iron pin (which pin is located five hundred fifty-four and eight-tenths (554.8) feet south from the southwest corner of Pharr Road and North Fulton Drive); running thence west one hundred nine and two-tenths (109.2) feet to an iron pin; running thence southerly two hundred thirty-eight (238) feet to an iron pin on the northerly side of Peachtree Avenue; running thence easterly along the northerly side of Peachtree Avenue (this line forming an interior angle of eighty-eight (88°) degrees with the last-mentioned line) one hundred twenty (120) feet to North Fulton Drive at the point of beginning; said premises being improved with two (2) two-story brick apartment buildings known as Nos. 44 and 48 Peachtree Avenue, N. E., according to the present system of numbering houses in the City of Atlanta; being the same property conveyed to the said Frank H. Green by two (2) deeds from Frank A. (F.A.) Fraser, the first dated November 20, 1958, and recorded in Deed Book 3398, Page 162, Fulton County Records, and the other dated January 29, 1959, and recorded in Deed Book 3419, Page 83, Fulton County Records.

TOGETHER WITH THE FOLLOWING:

TRACT I

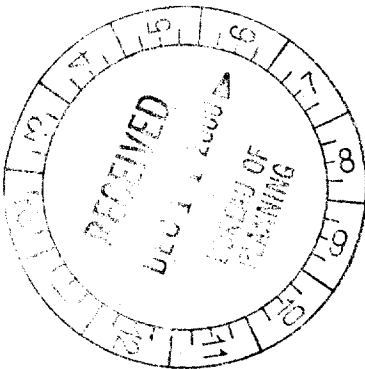
ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 100 of the 17th District of Fulton County, Georgia, being depicted on a plat of survey for Southern Federal Savings And Loan Association Of Georgia dated May 11, 1987, certified by Roy E. Housworth, Jr., Georgia Registered Land Surveyor No. 1204, and being more particularly described as follows:

BEGINNING at an iron pin located on the westerly right-of-way line of North Fulton Drive (a 50-foot right-of-way) a distance of 476.9 feet southerly as measured along the westerly right-of-way line of North Fulton Drive from its intersection with the southerly right-of-way line of Pharr Road; thence running south 01 degree 16 minutes east along the westerly right-of-way line of North Fulton Drive a distance of 57 feet to a point located on the south edge of a wall; thence running north 88 degrees 26 minutes west a distance of 200 feet to an iron pin; thence running north 00 degrees 24 minutes west a distance of 52.6 feet to a point; and thence running due east a distance of 200 feet to the iron pin marking the POINT OF BEGINNING.

TRACT II

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 100 of the 17th District of Fulton County, Georgia, being depicted on a plat of survey for Southern Federal Savings And Loan Association Of Georgia dated May 11, 1987, certified by Roy E. Housworth, Jr., Georgia Registered Land Surveyor No. 1204, and being more particularly described as follows:

BEGINNING at an iron pin located on the westerly right-of-way line of North Fulton Drive (a 50-foot right-of-way) a distance of 376.9 feet southerly as measured along the westerly right-of-way line of North Fulton Drive from its intersection with the southerly right-of-way line of Pharr Road; thence running south 00 degrees 16 minutes east along the westerly right-of-way line of North Fulton Drive a distance of 100.0 feet to an iron pin; thence running due west a distance of 200.0 feet to a point; thence running north 00 degrees 24 minutes west a distance of 100.0 feet to a point; and thence running due east a distance of 199.6 feet to the iron pin marking the POINT OF BEGINNING.



2-44-94

Page 1 of 2

Legal Description Peachtree Avenue Tract

All that tract or parcel of land lying and being in LL 100, in the 17th district of the city of Atlanta, Georgia, and being more particularly described as follows:

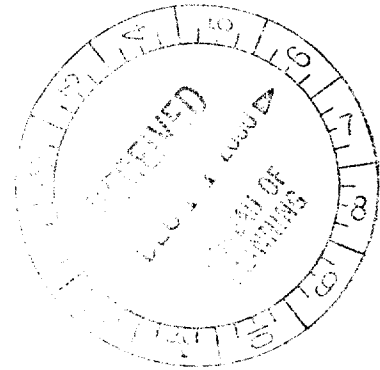
Beginning at the intersection of the northerly r/w of Peachtree Avenue (50' r/w) and the westerly r/w of North Fulton Drive (50' r/w) said point being the point of beginning;

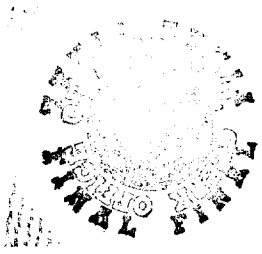
Continuing along the northerly r/w of Peachtree Avenue (50' r/w) N 89°18'35" W a distance of 119.83' to a point; Departing said r/w, proceed thence N 02°08'37" E a distance of 239.16' to a point; Proceed thence N 88°18'32" W a distance of 90.42' to a point; Proceed thence N 01°03'02" W a distance of 51.36' to a point; Proceed thence N 00°26'26" W a distance of 99.95' to a point; Proceed thence S 89°47'48" W a distance of 199.97' to a point along the westerly r/w of North Fulton Drive (50' r/w); Continuing along said r/w, proceed thence S 00°26'03" E a distance of 395.12' to a point, said point being the point of beginning.

Said tract contains 1.335 acres (58,153 square feet).

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RCS# 2708
3/05/01
8:39 PM

Atlanta City Council

Regular Session

MULTIPLE

00-O-1439; 01-O-0055; 00-O-1278;
01-O-0060
FILE

YEAS: 8
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 2
ABSENT 1

NV McCarty	E Dorsey	Y Moore	Y Thomas
Y Starnes	Y Wooldard	NV Martin	Y Emmons
Y Bond	Y Morris	B Maddox	E Alexander
NV Winslow	NV Muller	Y Boazman	NV Pitts

MULTIPLE

01-0-0055

(Do Not Write Above This Line)

AN ORDINANCE Z-00-94

BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE RG-2 (RESIDENTIAL GENERAL-SECTOR 2) DISTRICT TO THE RG-4 (RESIDENTIAL GENERAL-SECTOR 4) DISTRICT, PROPERTY LOCATED AT 2964-2970 NORTH FULTON DRIVE, N.E. AND 44-48 PEACHTREE AVENUE, N.E., FRONTING 119.83 FEET ON THE NORTH SIDE OF PEACHTREE AVENUE BEGINNING AT THE NORTHWEST CORNER OF NORTH FULTON DRIVE. DEPTH: 395.12 FEET; AREA: 1.335 ACRES; LAND LOT 100, 17TH DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: ALBERT ASHKOUTI ET AL
 APPLICANT: KEVIN J. BRANGERS
 NPU-B COUNCIL DISTRICT 7

FILED BY
 CITY COUNCIL
 MAR 05 2001

REFERRAL BY JAN 16 2001
 CITY COUNCIL

- ☐ **CONSENT REFER**
☒ **REGULAR REPORT REFER**
☐ **ADVERTISE & REFER**
☐ **1st ADOPT 2nd READ & REFER**
☐ **PERSONAL PAPER REFER**

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

Committee ZONING
 Date 2-27-01
 Chair Kevin J. Brangers
 Referred to ZRB & ZONING

First Reading

Committee	Date	Chair	Actions	Fav, Adv, Held (see rev. side)	Other	Members	Refer To
ZONING	2-27-01	Kevin J. Brangers					

Committee	Date	Chair	Actions	Fav, Adv, Held (see rev. side)	Other	Members	Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED
 MAR 5 2001
 ATLANTA CITY COUNCIL
 Robert A. Parker
 MUNICIPAL CLERK

MAYOR'S ACTION